<div align="center">**Remarks**</div>

A.   **Pending Claims**

Claims 1, 3-4, 7, 10, 12-18, 21-24, 26-27, 37, and 43 have been subjected to a restriction and/or election requirement. Claims 14-18, 21-24, 26-27, and 37 are withdrawn. Claims 1, 3-4, 7, 10, 12-13, and 43 are pending in the application.

B.   **Election/Restriction**

Applicant hereby elects "Species 1A: Suture, shown in figs. 13-20, and 30-31" corresponding to claims 7 and 12-13 without traverse, with claim 43 held generic. Applicant hereby elects "Species 2B: Retractor with conduit and extendable members shown in figs. 18A, 18B, 30A, 30B" corresponding to claims 1, 3-4, 7, 10, 12-18, and 21-24 without traverse, with claim 43 held generic. Applicant submits that claims 1, 3-4, 7, 10, 12-13, and 43 read upon Species 1A and Species 1B. Applicant has withdrawn claims 14-18, 21-24, 26-27, and 37. Applicant reserves the right to file additional applications directed to the non-elected subject matter. Applicant respectfully requests that any withdrawn claims be considered for rejoinder at such time that a generic claim is in condition for allowance.

C.   **Additional Comments**

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

Applicant respectfully requests a five month extension of time. Applicant has submitted a Fee Authorization Form for fees associated with a five month extension of time. If any further extension of time is required, Applicant hereby respectfully requests such extension of time. If any further fees are required or have been overpaid, please appropriately charge or credit those fees to MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL Deposit Account Number 50-1505/5838-06602/EBM.

Respectfully submitted,

Neal E. Persky
Reg. No. 53,452

Patent Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: February 4, 2009